



**IAP12 Rec'd PCT/PTO 13 SEP 2007**

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Matthew Richard DOWNHAM, et al. Confirmation No: 4029  
Appl. No. : 10/588,078  
Filed : July 31, 2006  
Title : CJD PRION TESTING

TC/A.U. : Unassigned  
Examiner : Unassigned

Docket No.: : DOWN3001/REF  
Customer No: : 23364

**RESPONSE AND SUBMISSION OF MISSING PARTS OF APPLICATION**  
**HAVING BEEN GRANTED FILING DATE**

**MS MP**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Official Action dated April 13, 2007, in connection with the above-identified application. The period for response to this Official Action has been extended to expire on September 13, 2007, by the filing herewith of a Petition for a Three-Month Extension of Time and payment of the required fee.

The Official Action acknowledges receipt of the application, but indicates that the Declaration is missing. Applicants submit herewith a properly and fully executed Declaration which identifies the application by title and by inventor.

The Official Action indicates that the application does not contain a statement that the content of the sequence listing information recorded in CRF is identical to the written sequence listing, and, where applicable, contains no new matter. It is further indicated that a copy of the sequence listing in computer readable form has not been submitted.

Applicants submit herewith a paper copy of the sequence listing and a computer readable disk and certify that the sequence listing information recorded in computer readable form as identical to the written sequence listing. Applicants further certify that the content of the sequence listing information recorded in computer readable form (CFR) is identical to the written sequence listing filed concurrently with the CRF on July 31, 2006, and no new matter was introduced. This statement completes this requirement.

Appl. No. 10/588,078  
Amendment dated: October 9, 2003  
Reply to OA of: July 11, 2003

The serial number and filing date are provided above and are given on attached USPTO Notice To File Missing Parts of NonProvisional Application, along with the required \$130.00 surcharge.

It is believed that the application is now in condition for examination. Accordingly, Applicants most respectfully request that the application be forwarded to the appropriate examining group for its examination.

Respectfully submitted,  
BACON & THOMAS, PLLC

By: Richard E. Fichter  
Richard E. Fichter  
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September 11, 2007

09/14/2007 GFREY1 00000096 10588078

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/588,078	Matthew Richard Downham	DOWN3001/REF

INTERNATIONAL APPLICATION NO.
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PCT/GB05/00328

I.A. FILING DATE	PRIORITY DATE
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01/27/2005

01/30/2004

23364  
 BACON & THOMAS, PLLC  
 625 SLATERS LANE  
 FOURTH FLOOR  
 ALEXANDRIA, VA 22314

Date 4/17/07 Atty REF  
 Action Due Missing Reg's  
 Deadline 6/13/07  
 Final Deadline 4/13/07  
 Based on \_\_\_\_\_

CONFIRMATION NO. 4029

371 FORMALITIES LETTER



\*OC000000023371881\*

Date Mailed: 04/13/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/31/2006
- Copy of the International Search Report filed on 07/31/2006
- Copy of IPE Report filed on 07/31/2006
- Preliminary Amendments filed on 07/31/2006
- Oath or Declaration filed on 07/31/2006
- Biochemical Sequence Listing filed on 07/31/2006
- Request for Immediate Examination filed on 07/31/2006
- U.S. Basic National Fees filed on 07/31/2006
- Priority Documents filed on 07/31/2006
- Specification filed on 07/31/2006
- Claims filed on 07/31/2006
- Abstracts filed on 07/31/2006
- Drawings filed on 07/31/2006
- Paper nucleotide sequence listings filed on 07/31/2006



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**
  - This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/588,078	PCT/GB05/00328	DOWN3001/REF

FORM PCT/DO/EO/905 (371 Formalities Notice)